

ENTERED

October 18, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

OSCAR SOSA

Petitioner

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 1:20-CV-004

ORDER

In January 2020, Petitioner Oscar Sosa filed a Motion to Vacate, Set Aside, or Correct his Sentence pursuant to 28 U.S.C. § 2255. (Motion to Vacate, Doc. 1) Sosa asks the Court to vacate his sentence on the grounds that he received ineffective assistance of counsel during his criminal trial for conspiracy and possession with intent to distribute methamphetamine. (Memorandum of Law, Doc. 2, 2, 4)

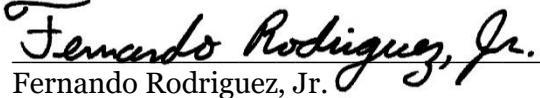
A United States Magistrate Judge recommends that the Motion to Vacate be denied as legally and factually unsupported by the record and otherwise meritless. (R&R, Doc. 64) No objections were filed to the Report and Recommendation. The Court finds no plain error in the Report and Recommendation.

As a result, it is:

ORDERED that Petitioner Oscar Sosa's Motion to Vacate, Set Aside, or Correct his Sentence (Doc. 1) is **DENIED** as meritless.

In addition, the Court finds that no outstanding issue would be debatable among jurists of reason, and that Sosa fails to make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Accordingly, the Court **DENIES** a Certificate of Appealability.

Signed on October 18, 2021.


Fernando Rodriguez, Jr.
United States District Judge